REMARKS

Claims 1 – 3 and 25 – 28 are currently pending in the Application. A Request for Continued Examination under 37 CFR 1.114 is being filed herewith. Claim 1 has been amended and claims 25 – 28 have been added. Support for the amendments to claim 1 and new claims 25 – 28 may be found, for example, in the specification at paragraphs 44, 49, 68, 84, 190 and 193. Accordingly, no new matter has been added to the application in the foregoing amendments.

Claim Rejection – § 102(b)

Claims 1 – 3 are rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 7,055,166 to Logan et al. ("Logan"). Applicants respectfully traverse this rejection.

Logan teaches a method of editing broadcast programming to provide some level of targeting. In this system, an editor of the broadcast programming signal (which includes "the user of the system, a broadcaster, or a third party") facilitates initial editing which is followed by some level of automation. A series of signals and comparisons of those signals is used in the automation process.

For a rejection under § 102(b) to be proper, a reference must disclose, either explicitly or inherently, each and every element of the claimed invention. Applicants respectfully submit that Logan does not teach each and every element recited in amended independent claim 1.

Amended independent claim 1 recites:

> A method for video detection and replacement, the method comprising:
>
> receiving an input video signal;

> creating a sliding window of initial length L and running the sliding window over at least a portion of the input video signal;
>
> comparing a first segment of the input video signal captured by the sliding window of initial length L to a portion of stored fingerprint data;
>
> expanding the sliding window to have an expanded length approximately equal to the length of the stored fingerprint data if the first segment of the input video signal matches the portion of stored fingerprint data;
>
> comparing an expanded segment of the input video signal captured by the expanded window having the expanded length with the stored fingerprint data; and
>
> generating an output video signal comprising the input video signal, wherein the expanded segment of the input video signal is replaced with a replacement portion if the expanded segment of the input video signal matches the fingerprint data.

Logan does not disclose "comparing a first segment of the input video signal captured by the sliding window of initial length L to a portion of stored fingerprint data." The Examiner argues that this element is taught in Logan, since Logan "allows a user to manually move, or 'surf,' among segments of a broadcast programming signal while viewing the signal." (FOA, p. 3) However, this functionality of Logan is not relevant to independent claim 1. More particularly, independent claim 1 recites a "sliding window" which runs over the input video signal. The ability to "manually move, or surf" is not related to a sliding window which runs over a portion of a video signal and comparing the segment of video within the sliding window to stored fingerprint data. Manually moving the currently displayed frame of video (as described in Logan) fails to create any sliding window and nothing is run over the video. Additionally, Logan's action of allowing a user to move around a video stream does not teach comparing a fingerprint to a section of the input video as recited in claim 1. The explanation provided by the Examiner that, this feature of Logan is "for moving segments of the broadcast programming signal into an

alternate order," has nothing to do with making any comparison between a stored fingerprint and a video segment.

Logan also does not disclose, "expanding the sliding window to have an expanded length approximately equal to the length of the stored fingerprint data if the first segment of the input video signal matches the portion of stored fingerprint data." The Examiner alleges that a "user would match the marking signals received from the first communication system against the buffered broadcast program content in order to modify the program ... that means the user can expand the sliding window to obtain a match." (Id.). This portion of Logan, however, does not teach the claimed element. As an initial point, the Examiner explains that "the user can expand the sliding window to obtain a match." This is an opposite approach than that which is claimed. Specifically, claim 1 recites "expanding the sliding window ... **if** the first segment of the input video signal matches the portion of stored fingerprint data." Thus, in claim 1, the expansion of the sliding window is not used as a mechanism "to obtain a match" (as described in Logan), but is a result of a match being found. Secondly, no place in the cited section (nor anywhere else) in Logan discloses a concept similar to that recited in claim 1 and specifically this element. Claim 1 recites "a method for video detection and replacement," accomplished in part by expanding the sliding window to the size of the fingerprint segment. The portion of Logan cited by the Examiner states that, "a user would match the marking signals received from the first communications system against the buffered broadcast program content in order to modify the program." (Logan, Col. 2, lines 41 – 44). While this portion teaches the ability of a user to manually modify a program, Logan has no discussion of a video replacement portion, which is recited in the claim. The relied-on disclosure of Logan also does not teach "expanding the sliding window," a system where anything is expanded to "the approximate length of the fingerprint data," and does not teach a system which does anything on the basis of a match to a portion of stored fingerprint data as described in the claim.

For at least these reasons, Logan does not disclose all of the features of independent claim 1. Dependent claims 2 – 3 and 25 – 28 are allowable at least by their

dependency on independent claim 1. Reconsideration and withdrawal of the Examiner's anticipation rejection of claims 1-3 are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the Examiner's rejections have been overcome, and that the application, including claims 1 – 3 and 25 – 28, is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections and an early Notice of Allowance are respectfully requested.

Respectfully submitted,

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